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		Application Number	10/760,999
		Filing Date	January 20, 2004
		First Named Inventor	Mark HARBAUGH
		Art Unit	3732
		Examiner Name	EREZO, Darwin P.
Total Number of Pages in This Submission		Attorney Docket Number	50642/287728

ENCLOSURES (check all that apply)

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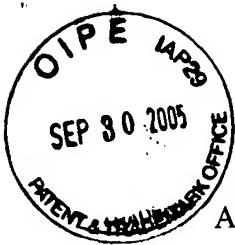
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Date	Sept. 28, 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Mark HARBAUGH, et al.

SERIAL NO.: 10/760,999 Group Art Unit: 3732

FILED: January 20, 2004 Examiner: EREZO, Darwin P.

FOR: SYSTEMS AND METHODS FOR PERFORMING
MINIMALLY INVASIVE INCISIONS

Attorney Docket No.: 50642/287728

Date: September 28, 2005

Mail Stop Amendment
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INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with Rules 56, 97 and 98 of the Rules of Practice in Patent Cases (37 C.F.R. §§ 1.56, 1.97, and 1.98), the publications listed on the enclosed Form PTO/SB/08 are cited for consideration by the Examiner. Copies of the cited non-U.S. publications and other materials are enclosed.

Submission of the references provided in this Information Disclosure is not intended to constitute an admission that any reference referred to herein is prior art for this invention unless specially designated as such. Also, in accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

This Information Disclosure Statement is being filed pursuant to 37 C.F.R. 1.97(b), before the mailing date of an office action on the merits. Applicants believe that no fee is due for consideration of this paper. However, if a fee is due, the Commissioner is authorized to charge any fee due to Deposit Account No. 11-0855.

Respectfully submitted,



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ADDITIONAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

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of 13

Complete if Known

Application Number	10/760,999
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Examiner Name	

Attorney Docket Number 50642/287728

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
1.	US2001/0001120A1	05/10/2001	Masini		
2.	US2001/0014772A1	08/16/2001	Lampotang, <i>et al.</i>		
3.	US2001/0016745A1	08/23/2001	Bullivant, <i>et al.</i>		
4.	US2001/0039421 A1	11/08/2001	Heilbrun, <i>et al.</i>		
5.	US2002/0002330 A1	01/03/2002	Vilsmeier		
6.	US2002/0002365A1	01/03/2002	Lechot		
7.	US2002/0016540 A1	02/07/2002	Mikus, <i>et al.</i>		
8.	US2002/0029041 A1	03/07/2002	Hover, <i>et al.</i>		
9.	US2002/0038085A1	03/28/2002	Immerz		
10.	US2002/0052606 A1	05/02/2002	Bonutti		
11.	US2002/0065461A1	05/30/2002	Cosman		
12.	US2002/0068942 A1	06/06/2002	Neubauer, <i>et al.</i>		
13.	US2002/0072748 A1	06/13/2002	Robioneck		
14.	US2002/0077540A1	06/20/2002	Kienzle, III		
15.	US2002/077533 A1	06/20/2002	Bieger, <i>et al.</i>		
16.	US2002/0085681 A1	07/04/2002	Jensen		
17.	US2002/0087101A1	07/04/2002	Barrick, <i>et al.</i>		
18.	US2002/0095081 A1	07/18/2002	Vilsmeier		
19.	US2002/0107518 A1	08/08/2002	Neubauer, <i>et al.</i>		
20.	US2002/011594A1	01/31/2002	DeSouza		
21.	US2002/0133161 A1	09/19/2002	Axelson, <i>et al.</i>		
22.	US2002/0133175 A1	09/19/2002	Carson		
23.	US2002/0147455	10/10/2002	Carson		
24.	US2002/0151898 A1	10/17/2002	Sohngen, <i>et al.</i>		
25.	US2002/0156371A1	10/24/2002	Hedlund, <i>et al.</i>		
26.	US2002/0156479A1	10/24/2002	Schulzki, <i>et al.</i>		
27.	US2002/0188194A1	12/12/2002	Cosman		
28.	US2002/0193800 A1	12/19/2002	Kienzle, III, <i>et al.</i>		
29.	US2002/0198531 A1	12/26/2002	Millard, <i>et al.</i>		
30.	US2002/0198448A1	12/26/2002	Zuk, <i>et al.</i>		
31.	US2002/0198451A1	12/26/2002	Carson		
32.	US2003/0069591A1	04/10/2003	Carson		
33.	US2003/0018338A1	01/23/2003	Axelson, Jr., <i>et al.</i>		
34.	US2003/0045883A1	03/06/2003	Chow, <i>et al.</i>		
35.	US2003/0153829 A1	08/14/2003	Sarin, <i>et al.</i>		
36.	US2003/0153859	08/14/2003	Hinshon		
37.	US2003/0153978A1	08/14/2003	Whiteside		

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STATEMENT BY APPLICANT**

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<i>Attorney Docket Number</i>	
50642/287728	

38.	US2003/0164172 A1	09/04/2003	Chumas, et al.
39.	US2003/0181918 A1	09/25/2003	Smothers, et al.
40.	US2003/0187351 A1	10/02/2003	Franck, et al.
41.	US2003/0187452A1	10/02/2003	Smith et al.
42.	US2003/192557 A1	10/16/2003	Krag, et al.
43.	US2004/0019382	01/29/2004	Amirouche, et al.
44.	US2004/0260290	12/23/2004	Zander et al.
45.	US2005/0075632 A1	04/07/2005	Russell, et al.
46.	US2005/0085822 A1	04/21/2005	Thornberry, et al.
47.	1,076,971	10/28/1913	Geiger
48.	1,201,467	10/17/1916	Hoglund
49.	2,092,869	09/14/1937	Baum
50.	3,412,733	11/26/1968	Ross
51.	3,457,922	07/29/1969	Ray
52.	3,702,611	11/14/1972	Fishbein
53.	4,305,394	12/15/1981	Bertuch, Jr.
54.	4,323,080	04/06/1982	Melharty
55.	4,421,112	12/20/1983	Mains, et al.
56.	4,457,307	07/03/1984	Stillwell
57.	4,483,554	11/20/1984	Ernst
58.	4,524,766	06/25/1985	Petersen
59.	4,534,364	08/13/1985	Lamoreux
60.	4,566,448	01/28/1986	Rohr, Jr.
61.	4,567,885	02/04/1986	Androphy
62.	4,567,886	02/04/1986	Petersen
63.	4,712,951	12/15/1987	Brown
64.	4,718,413	01/12/1988	Johnson
65.	4,722,056	01/26/1988	Roberts, et al.
66.	4,759,350	07/26/1988	Dunn, et al.
67.	4,802,468	02/07/1989	Powlan
68.	4,803,976	02/14/1989	Frigg, et al.
69.	4,875,475	10/24/1989	Comte, et al.
70.	4,892,093	01/09/1990	Zarnowski, et al.
71.	4,913,163	04/03/1990	Roger, et al.
72.	4,952,213	08/28/1990	Bowman, et al.
73.	4,964,862	10/23/1990	Arms
74.	5,002,545	03/26/1991	Whiteside, et al.
75.	5,037,423	08/06/1991	Kenna
76.	5,053,039	10/01/1991	Hofmann, et al.
77.	5,078,719	01/07/1992	Schreiber
78.	5,092,869	03/03/1992	Waldron

Examiner Signature	Date Considered
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<i>Examiner Name</i>	

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79.	5,116,338	05/26/1992	Poggie, et al.
80.	5,122,144	06/16/1992	Bert, et al.
81.	5,129,909	07/14/1992	Sutherland
82.	5,190,547	03/02/1993	Barber, Jr., et al.
83.	5,213,312	05/25/1993	MacDonald
84.	5,217,499	06/08/1993	Shelley
85.	5,230,338	07/27/1993	Allen, et al.
86.	5,246,444	09/21/1993	Schreiber
87.	5,254,119	10/19/1993	Schreiber
88.	5,289,826	03/01/1994	Kovacevic
89.	5,360,016	11/01/1994	Kovacevic
90.	5,364,402	11/15/1994	Mumme, et al.
91.	5,375,588	12/27/1994	Yoon
92.	5,379,133	01/03/1995	Kirk
93.	5,383,454	01/24/1995	Bucholz
94.	5,389,101	02/14/1995	Heilbrun et al.
95.	5,395,376	03/07/1995	Caspary, et al.
96.	5,423,828	06/13/1995	Benson
97.	5,425,355	06/20/1995	Kulick
98.	5,449,360	09/12/1995	Schreiber
99.	5,462,548	10/31/1995	Pappas, et al.
100.	5,462,549	10/31/1995	Glock
101.	5,468,244	11/21/1995	Attfield, et al.
102.	5,470,354	11/28/1995	Hershberger, et al.
103.	5,474,559	12/12/1995	Bertin, et al.
104.	5,486,178	01/23/1996	Hodge
105.	5,490,854	02/13/1996	Fisher, et al.
106.	5,491,510	02/13/1996	Gove
107.	5,507,824	04/16/1996	Lennox
108.	5,514,139	05/07/1996	Goldstein, et al.
109.	5,517,990	05/21/1996	Kalfas, et al.
110.	5,540,691	07/30/1996	Elmstrom, et al.
111.	5,540,695	07/30/1996	Levy
112.	5,540,696	07/30/1996	Booth, Jr., et al.
113.	5,569,260	10/29/1996	Petersen
114.	5,597,379	01/28/1997	Haines, et al.
115.	5,598,269	01/28/1997	Kitaevich, et al.
116.	5,603,318	02/18/1997	Heilbrun, et al.
117.	5,613,969	03/25/1997	Jenkins, Jr.
118.	5,643,268	07/01/1997	Vilsmeier, et al.
119.	5,643,272	07/01/1997	Haines, et al.

Examiner Signature	Date Considered
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120.	5,658,290	08/19/1997	Lechot
121.	5,669,914	09/23/1997	Eckhoff
122.	5,676,668	10/14/1997	McCue, et al.
123.	5,682,886	11/04/1997	Delp, et al.
124.	5,695,501	12/09/1997	Carol, et al.
125.	5,702,406	12/30/1997	Vilsmeier, et al.
126.	5,707,370	01/13/1998	Berki, et al.
127.	5,709,689	01/20/1998	Ferrante, et al.
128.	5,715,836	02/10/1998	Kliegis, et al.
129.	5,716,361	02/10/1998	Masini
130.	5,720,752	02/24/1998	Elliott, et al.
131.	5,722,978	03/03/1998	Jenkins, Jr.
132.	5,733,292	05/31/1998	Gustilo, et al.
133.	5,735,904	04/07/1998	Pappas
134.	5,743,915	04/28/1998	Bertin, et al.
135.	5,748,767	05/05/1998	Raab
136.	5,755,725	05/26/1998	Druais
137.	5,755,803	05/26/1998	Haines, et al.
138.	5,769,861	06/23/1998	Vilsmeier
139.	5,772,593	06/30/1998	Hakamata
140.	5,772,594	06/30/1998	Barrick
141.	5,776,064	07/07/1998	Kalfas, et al.
142.	5,782,842	07/21/1998	Kloess, et al.
143.	5,792,147	08/11/1998	Evans, et al.
144.	5,799,055	08/25/1998	Peshkin, et al.
145.	5,800,352	09/01/1998	Ferre, et al.
146.	5,800,438	09/01/1998	Tuke, et al.
147.	5,807,252	09/15/1998	Hassfeld, et al.
148.	5,810,827	09/22/1998	Haines, et al.
149.	5,810,841	09/22/1998	McNeirney, et al.
150.	5,817,097	10/06/1998	Howard, et al.
151.	5,836,954	11/17/1998	Heilbrun, et al.
152.	5,848,967	12/15/1998	Cosman
153.	5,850,836	12/22/1998	Steiger, et al.
154.	5,860,981	01/19/1999	Bertin, et al.
155.	5,865,809	02/02/1999	Moenning, et al.
156.	5,871,018	02/16/1999	Delp, et al.
157.	5,871,445	02/16/1999	Bucholz
158.	5,879,352	03/09/1999	Filoso, et al.
159.	5,879,354	03/09/1999	Haines, et al.
160.	5,880,976	03/09/1999	DiGioia III, et al.

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				<i>Examiner Name</i>	
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161.	5,885,296	03/23/1999	Masini
162.	5,885,297	03/23/1999	Matsen, III
163.	5,916,221	06/29/1999	Hodorek, <i>et al.</i>
164.	5,920,395	07/06/1999	Schulz
165.	5,921,992	07/13/1999	Costales, <i>et al.</i>
166.	5,925,049	07/20/1999	Gustilo, <i>et al.</i>
167.	5,935,128	08/10/1999	Carter, <i>et al.</i>
168.	5,938,665	08/17/1999	Martin
169.	5,944,722	08/31/1999	Masini
170.	5,947,973	09/07/1999	Masini
171.	5,951,561	09/14/1999	Pepper, <i>et al.</i>
172.	5,957,926	09/28/1999	Masini
173.	5,961,523	10/05/1999	Masini
174.	5,971,989	10/26/1999	Masini
175.	5,980,526	11/09/1999	Johnson, <i>et al.</i>
176.	5,999,837	12/07/1999	Messner, <i>et al.</i>
177.	6,001,106	12/14/1999	Ryan, <i>et al.</i>
178.	6,002,859	12/14/1999	DiGioia III, <i>et al.</i>
179.	6,006,126	12/21/1999	Cosman
180.	6,007,537	12/28/1999	Burkinshaw, <i>et al.</i>
181.	6,010,506	01/04/2000	Gosney, <i>et al.</i>
182.	6,011,987	01/04/2000	Barnett
183.	6,016,606	01/25/2000	Oliver, <i>et al.</i>
184.	6,021,342	02/01/2000	Brabrand
185.	6,021,343	02/01/2000	Foley, <i>et al.</i>
186.	6,022,377	02/08/2000	Nuelle, <i>et al.</i>
187.	6,026,315	02/15/2000	Lenz, <i>et al.</i>
188.	6,030,391	02/29/2000	Brainard, <i>et al.</i>
189.	6,033,410	03/07/2000	McLean, <i>et al.</i>
190.	6,041,249	03/21/2000	Regn
191.	6,044,291	03/28/2000	Rockseisen
192.	6,050,724	04/18/2000	Schmitz, <i>et al.</i>
193.	6,053,922	04/25/2000	Krause, <i>et al.</i>
194.	6,056,756	05/02/2000	Eng, <i>et al.</i>
195.	6,068,633	05/30/2000	Masini
196.	6,069,932	05/30/2000	Peshkin, <i>et al.</i>
197.	6,077,269	06/20/2000	Masini
198.	6,081,336	06/27/2000	Messner, <i>et al.</i>
199.	6,083,163	07/04/2000	Wegner, <i>et al.</i>
200.	6,102,916	08/15/2000	Masini
201.	6,132,433	10/17/2000	Whelan

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202.	6,143,390	11/07/2000	Takamiya, et al.
203.	6,144,875	11/07/2000	Schweikard, et al.
204.	6,146,390	11/14/2000	Heilbrun, et al.
205.	6,148,280	11/14/2000	Kramer
206.	6,161,033	12/12/2000	Kuhn
207.	6,162,190	12/19/2000	Kramer
208.	6,165,181	12/26/2000	Heilbrun, et al.
209.	6,167,292	12/26/2000	Badano, et al.
210.	6,167,295	12/26/2000	Cosman
211.	6,167,296	12/26/2000	Shahidi
212.	6,168,627 B1	01/02/2001	Huebner
213.	6,185,315 B1	02/06/2001	Schmucker, et al.
214.	6,187,010 B1	02/13/2001	Masini
215.	6,190,320 B1	02/20/2001	Lelong
216.	6,190,395 B1	02/20/2001	Williams
217.	6,195,168 B1	02/27/2001	De Lega, et al.
218.	6,197,064	03/06/2001	Haines, et al.
219.	6,198,794 B1	03/06/2001	Peshkin, et al.
220.	6,200,316 B1	03/13/2001	Zwirkoski, et al.
221.	6,205,411	03/20/2001	DiGioia, III, et al.
222.	6,211,976 B1	04/03/2001	Popovich, et al.
223.	6,214,011 B1	04/10/2001	Masini
224.	6,216,029 B1	04/10/2001	Paltiel
225.	6,223,067 B1	04/24/2001	Vilsmeier, et al.
226.	6,226,548 B1	05/01/2001	Foley, et al.
227.	6,228,090 B1	05/08/2001	Waddell
228.	6,235,038 B1	05/22/2001	Hunter, et al.
229.	6,236,875 B1	05/22/2001	Bucholz, et al.
230.	6,241,735 B1	06/05/2001	Marmulla
231.	6,249,581 B1	06/19/2001	Kok
232.	6,258,095 B1	07/10/2001	Lombardo, et al.
233.	6,258,096 B1	07/10/2001	Seki
234.	6,264,647 B1	07/24/2001	Lechot
235.	6,283,971 B1	09/04/2001	Temeles
236.	6,285,902 B1	09/04/2001	Kienzle, III, et al.
237.	6,317,616 B1	11/13/2001	Glossop
238.	6,332,891 B1	12/25/2001	Himes
239.	6,333,971 B2	12/25/2001	McCrory, et al.
240.	6,344,853 B1	02/05/2002	Knight
241.	6,347,240 B1	02/12/2002	Foley, et al.
242.	6,351,659 B1	02/26/2002	Vilsmeier
243.	6,351,661 B1	02/26/2002	Cosman

Examiner Signature	Date Considered
--------------------	-----------------

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244.	6,377,839 B1	04/23/2002	Kalfas, et al.
245.	6,385,475	05/07/2002	Cinquin, et al.
246.	6,405,072 B1	06/11/2002	Cosman
247.	6,413,261 B1	07/02/2002	Grundei
248.	6,434,507 B1	08/13/2002	Clayton, et al.
249.	6,440,140 B2	08/27/2002	Bullivant, et al.
250.	6,451,059 B1	09/17/2002	Janas, et al.
251.	6,458,135 B1	10/01/2002	Harwin, et al.
252.	6,468,202 B1	10/22/2002	Irion, et al.
253.	6,477,400	11/05/2002	Barrick
254.	6,478,799	11/12/2002	Williamson
255.	6,490,467 B1	12/03/2002	Bucholz, et al.
256.	6,491,429 B1	12/10/2002	Suhm
257.	6,491,702 B2	12/10/2002	Heilbrun, et al.
258.	6,503,249	01/ /2003	Krause, William R.
259.	6,503,254 B2	01/07/2003	Masini
260.	6,527,443 B1	03/04/2003	Vilsmeier, et al.
261.	6,540,739 B2	04/01/2003	Lechot
262.	6,546,279 B1	04/08/2003	Bova, et al.
263.	6,551,319 B2	04/22/2003	Lieberman
264.	6,551,324 B2	04/22/2003	Muller
265.	6,551,325 B2	04/22/2003	Neubauer, et al.
266.	6,558,391 B2	05/06/2003	Axelson, Jr., et al.
267.	6,558,421	05/06/2003	Fell, et al.
268.	6,567,687 B2	05/20/2003	Front, et al.
269.	6,574,493 B2	06/03/2003	Rasche, et al.
270.	6,595,997 B2	07/22/2003	Axelson, Jr., et al.
271.	6,602,259 B1	08/05/2003	Masini
272.	6,620,268	09/16/2003	Cho, et al.
273.	6,640,127 B1	10/28/2003	Kosaka, et al.
274.	6,652,142 B2	11/25/2003	Launay, et al.
275.	6,662,036 B2	12/09/2003	Cosman
276.	6,673,077 B1	01/06/2004	Katz
277.	6,685,711	02/03/2004	Axelson, Jr., et al.
278.	6,692,447 B1	02/17/2004	Picard
279.	6,695,848	02/24/2004	Haines
280.	6,702,821	03/09/2004	Bonutti
281.	6,711,431 B2	03/23/2004	Sarin, et al.
282.	6,712,823 B2	03/30/2004	Grusin, et al.
283.	6,712,824 B2	03/30/2004	Millard, et al.
284.	6,716,249 B2	04/06/2004	Hyde

Examiner Signature	Date Considered
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	285.	6,725,082	04/20/2004	Sati, et al.	
	286.	6,780,190 B2	08/24/2004	Maroney	
	287.	6,827,723 B2	12/07/2004	Carson	

Examiner
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Considered

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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ – Number ⁴ – Kind Code ⁵ (if known)				
	288.	WO 94/17733	08/18/1994	WIPO		
	289.	WO 95/15714	06/15/1995	WIPO		
	290.	WO 96/35387	11/14/1996	WIPO		
	291.	WO 97/16129	05/09/1997	WIPO		
	292.	WO 97/23172	07/03/1997	WIPO		
	293.	WO 98/46169	10/22/1998	WIPO		
	294.	WO 98/29032	07/09/1998	WIPO		
	295.	WO 99/15097	04/01/1999	WIPO		
	296.	WO 99/27860	06/10/99	WIPO		
	297.	WO 99/60939	12/02/1999	WIPO		
	298.	WO 99/65380	12/23/1999	WIPO		
	299.	WO 00/00093	01/06/2000	WIPO		Abstr
	300.	WO 00/21442	04/20/2000	WIPO		
	301.	WO 00/47103	08/17/2000	WIPO		
	302.	WO 00/64367	11/02/2000	WIPO		
	303.	WO 01/01845 A2	01/11/2001	WIPO		
	304.	WO 01/19271 A2	03/22/2001	WIPO		
	305.	WO 01/64124 A1	09/07/2001	WIPO		
	306.	WO 01/67979 A1	09/20/2001	WIPO		
	307.	WO 01/93770 A1 = PCT/GB01/02523	12/13/2001	WIPO		
	308.	WO 01/91647 A1	12/06/2001	WIPO		Abstr
	309.	WO 02/041794 A1	05/30/2002	WIPO		
	310.	WO 02/063236 A1 & A3	08/2002	WIPO		
	311.	WO 02/064042	08/22/02	WIPO		
	312.	WO 02/067783	09/06/2002	WIPO		
	313.	WO 02/067784	09/06/2002	WIPO		
	314.	WO 02/067800	09/06/2002	WIPO		
	315.	WO 02/080824 A1	10/17/2002	WIPO		
	316.	WO 03/034933 A1	05/01/2003	WIPO		
	317.	WO 03/041566 A2	05/22/2003	WIPO		
	318.	WO 03/065949A2	08/14/2003	WIPO		
	319.	WO 03/075740 A2	09/18/2003	WIPO		
	320.	WO 03/079940	10/02/2003	WIPO		
	321.	WO 03/096870 A2	11/27/2003	WIPO		Abstr
	322.	WO 2004/001569 A2	12/31/2003	WIPO		
	323.	WO 04/046754 A2	06/03/2004	WIPO		
	324.	WO 2005/039430 A2	05/06/2005	WIPO		

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--------------------	-----------------

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NON PATENT LITERATURE DOCUMENTS					
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ²
	351.	Barnes, <i>et al.</i> , "Unicompartmental Knee Arthroplasty," <i>Bombay Hospital Journal</i> , Issue Special, pp. 1-5, www.bhj.org/journal/1996/3803_july/special_486.htm			
	352.	Bonutti, <i>et al.</i> , "Minimal Incision Total Knee Arthroplasty Using the Suspended Leg Technique," <i>Orthopedics</i> , (published September 2003), 6 pages http://www.orthobluejournal.com/0903/9tips.asp			
	353.	Bonutti, "Total Joint Replacement Surgery in the 21 st Century – New 'Limited-Incision' Total Knee Replacement Offers Important Advantages," 01 page (undated)			
	354.	Croitoru, <i>et al.</i> , "Fixation-Based Surgery: A New Technique for Distal Radius Osteotomy," <i>Clinical Paper, Computer Aided Surgery</i> 2001, 160-169, Vol. 6 (2001)			
	355.	Delp, <i>et al.</i> , "Computer-Assisted Knee Replacement," <i>Clinical Orthopaedics and Related Research</i> , 354:49-56 (1998)			
	356.	Deluzio, <i>et al.</i> , "Static alignment and the adduction moment in unicompartmental arthroplasty patients," Presented at NACOB 98: North American Congress on Biomechanics, University of Waterloo, Ontario, Canada, August 14-18, 1998			
	357.	DiGioia, <i>et al.</i> , "Computer Assisted Orthopedic Surgery," <i>Clinical Orthopaedics and Related Research</i> , September 1998, Volume 354, pp. 8-16			
	358.	Ellis, <i>et al.</i> , "A Surgical Planning and Guidance System for High Tibial Osteotomy," <i>Journal of Computer-Assisted Surgery</i> , 4(5):264-274 (1999)			
	359.	Foley, <i>et al.</i> , "Percutaneous pedicle screw fixation of the lumbar spine," <i>Neurosurg. Focus</i> , Vol. 10(4), pp. 1-8 (2001)			
	360.	Glossop, http://www.traxta.com/papers/cua/mode1.html , 8 pages (02/06/2002)			
	361.	Iyun, <i>et al.</i> , "Planning and Performing the Ilizarov Method with the Taylor Spatial Frame," Abstract, at 2 nd Annual Meeting of International Society for Computer Assisted Orthopaedic Surgery, June 21, 2002, pp. 145-147			
	362.	Kanade, <i>et al.</i> , "Image-Based Computer Assisted Orthopedic Surgery System," Bonecraft, Inc., 12 pages, April 30, 2001			
	363.	Kiefer, <i>et al.</i> , "Computer Aided Knee Arthroplasty Versus Conventional Technique – First Results," First Annual Meeting of the International Society for Computer Assisted Orthopedic Surgery, Davos, Switzerland, Feb. 8-10, 2001			
	364.	Kunz, <i>et al.</i> , "Development and Verification of a Non-CT Based Total Knee Arthroplasty System for the LCS Prosthesis," First Annual Meeting of the International Society for Computer Assisted Orthopedic Surgery, Davos, Switzerland, Feb. 8-10, 2001			

Examiner Signature	Date Considered
--------------------	-----------------

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365.	Munoz, <i>et al.</i> , "Computer Assisted Planning of Hig Tibial Osteotomy for the Treatment of Knee Osteoarthritis," http://www.utc.fr/esb/esb09/abs_htm/570.html (02/21/2002) (three pages)
366.	Picard, <i>et al.</i> , "Kneenav.TKR: Concept and Clinical Application," Computer Assisted Orthopedic Surgery USA 2000 Meeting, Pittsburgh, PA., June 15-17, 2000
367.	Saragaglia, <i>et al.</i> , "Computer Assisted Total Knee Arthroplasty: Comparison with a Conventional Procedure. Results of a 50 Cases Prospective Randomized Study," First Annual Meeting of the International Society for Computer Assisted Orthopedic Surgery, Davos, Switzerland, Feb. 8-10, 2001
368.	Simon, <i>et al.</i> , "The Fundamentals of Virtual Fluoroscopy," Medtronic Surgical Navigation Technologies, Medtronic, pp. 57-66, Computer Assisted Orthopedic Surgery USA 2000 Meeting, Pittsburgh, PA, June 15-17, 2000
369.	Sugano, <i>et al.</i> , "Medical Robotics and Computer-Assisted Surgery in the Surgical Treatment of Patients and Rheumatic Diseases," <i>Cutting Edge Reports</i> , http://www.rheuma21st.com/archives/cutting_edge_Robotics_Japan.html (04/27/2000)
370.	Suhm, <i>et al.</i> , "Adapting the C-Arm Fluoroscope for Image Guided Orthopaedic Surgery," <i>CAOS</i> , pp. 212-214 (2002)
371.	Tenbusch, <i>et al.</i> , "First Results Using the Robodoc® System for Total Knee Replacement," First Annual Meeting of the International Society for Computer Assisted Orthopedic Surgey, Davos, Switzerland, Feb. 8-10, 2001
372.	Valstar, <i>et al.</i> , "Towards computer-assisted surgery in should joint replacement," <i>ISPRS Journal of Photogrammetry & Remote Sensing</i> , 56:326-337 (2002)
373.	Stryker Navigation System brochure entitled "...best alignment for gap kinematics," 6 pages (2001)
374.	BrainLAB Brochure entitled "ORTHO...YOUR PARTNER FOR THE FUTURE" pp. 1-28 (2002)
375.	Patent Abstracts of Japan, vol. 2002, no. 05, 03 May 2002 & JP 2002 017740A (Ochi Takahiro; Yonenobu Sakuo: MMT:KK) 22 January 2002 Abstract
376.	iON™ Smith & Nephew Orthopaedics Brochure entitled "You'll Never Look At Your Patients The Same Way Again." 10 pages (January 2001)
377.	Smith & Nephew – Orthopaedics – TriGen Reducer http://www.smithnephew.com/US/Standard.asp?NodeID=2996 , one page (01/21/03)
378.	Smith & Nephew – Orthopaedics – TriGen Flexible Reamer System http://www.smithnephew.com/US/Standard.asp?NodeID=2998 , 02 pages (01/21/03)
379.	AO Development Institute "MEPUC Motorized Exact Positioning Unit..." one page (03/26/03) http://www.ao-asif.ch/development/adi/examples/mepuc.shtml

Examiner Signature	Date Considered
--------------------	-----------------

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380.	AO Development Institute "MEPUC Motorized Exact Positioning Unit for C-arm," one page (07/07/03) http://www.ao-asif.ch/development/adi/examples/mepuc.shtml	
381.	Smith & Nephew – Orthopaedics – CAS – Knees "Computer Assisted Total Knee Replacement Surgery, 02 pages (10/13/2004) http://ortho.smith-nephew.com/us/Standard.asp?Nodeld=3396	
382.	Smith & Nephew ORTHOPAEDIC product bulletin , 01 page	
383.	Smith & Nephew Brochure entitled "Surgical Technique Mini Incision Hip Posterior Approach," 20 pages (03/03)	
384.	TRICON TOTAL KNEE SYSTEM, "TRICON-M® with PRO-FIT™ Surgical Procedures," RICHARDS Brochure, pp. 1-29 (undated)	
385.	SMITH & NEPHEW RICHARDS GENESIS® TOTAL KNEE SYSTEM, "REVISION POSTERIOR REFERENCING INSTRUMENTATION SURGICAL TECHNIQUE," Brochure, pp. 1-51 (12/1993)	
386.	SMITH & NEPHEW RICHARDS GENESIS® "TOTAL KNEE SYSTEM PRIMARY SURGICAL TECHNIQUE ANTERIOR REFERENCING INSTRUMENTATION," PP. 59 (12/1993)	
387.	SMITH & NEPHEW GENESIS II "TOTAL KNEE SYSTEM PRIMARY SURGICAL TECHNIQUE," Brochure, pp. 1-36 (03/2001)	
388.	Smith & Nephew First Choice in Orthopaedics Brochure Entitled "ACHIEVE Computer Assisted Surgery Trauma Applications The Orbiter Base Station & Satellite Surgical Platform," 18 pages (undated)	
389.	Medtronic Surgical Navigation Technologies SNT VERTEK photograph, one page (undated)	
390.	Medtronic Surgical Navigation Technologies System Components photograph VERTEK PLATFORM, one page (undated)	
391.	Medtronic Surgical Navigation Technologies "Overview Image-Guided Surgery An Advanced Solution to Traditional Surgery," two pages (undated)	
392.	BONECRAFT CARNEGIE MELLON COMPUTER-AIDED BONE DEFORMITY CORRECTION Brochure, pp 1-5 (undated)	

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